



STATE OF IDAHO  
DIVISION OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
C. Stephen Allred, Administrator

April 17, 2000

**CERTIFIED MAIL Z 187 980 425**

Linda B. Jones  
Attorney at Law  
Holland & Hart, LLP  
PO Box 2527  
Boise, ID 83701-2527

RE: T2-000303, Astaris Production, LLC, Dry Valley Mine  
(Final Tier II Operating Permit #029-00027, Phosphate Ore Mining )

Dear Ms. Jones:

On March 1, 2000, DEQ received an application for a Tier II Operating Permit (OP) from Astaris Production, LLC. On March 31, 2000, the application was declared complete.

Based on review of your application, state and federal rules and regulations, and comments received, DEQ finds this project meets the provisions of IDAPA 16.01.01.400 (Rules for the Control of Air Pollution in Idaho). Therefore, enclosed is the final Tier II OP (#029-00027) for the emissions that exist at your facility.

You, as well as any other entity, may have the right to appeal this final agency action pursuant to the Idaho Department of Health and Welfare Rules, Title 5, Chapter 3, "Rules Governing Contested Case Proceedings and Declaratory Rulings," by filing a petition with the Hearings Coordinator, Department of Health and Welfare, Administrative Procedures Section, 450 West State Street - 10th Floor, Boise, Idaho 83720-5450, within thirty-five (35) days of the date of this decision.

If you have any questions regarding the terms or conditions of the enclosed permit, please contact Daniel Heiser or me at (208) 373-0502.

Sincerely,

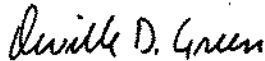
A handwritten signature in cursive script that reads "Orville D. Green".

Orville D. Green  
Program Administrator  
State Air Quality Program

OG/DH: ik 86399 G:\AH\WHEISER\TIER2\ASTARIS\T2000303.PL

Enclosure

cc: DEQ State Office (#029-00027)  
EPA Region 10  
Pocatello Regional Office

|                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                    |                 |              |                |         |
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| <b>STATE OF IDAHO</b><br><br><b>AIR POLLUTION</b><br><b>OPERATING PERMIT</b><br><br><b>GENERAL INFORMATION</b>                                                                                                                                                                                                           | <div style="text-align: center;"> <b>PERMIT NUMBER</b><br/> <div style="display: flex; justify-content: center; gap: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">0</div> <div style="border: 1px solid black; padding: 2px 5px;">2</div> <div style="border: 1px solid black; padding: 2px 5px;">9</div> <div style="border: 1px solid black; padding: 2px 5px;">-</div> <div style="border: 1px solid black; padding: 2px 5px;">0</div> <div style="border: 1px solid black; padding: 2px 5px;">0</div> <div style="border: 1px solid black; padding: 2px 5px;">0</div> <div style="border: 1px solid black; padding: 2px 5px;">2</div> <div style="border: 1px solid black; padding: 2px 5px;">7</div> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <b>AQCR</b><br/> <div style="border: 1px solid black; padding: 2px 5px;">0</div> <div style="border: 1px solid black; padding: 2px 5px;">6</div> <div style="border: 1px solid black; padding: 2px 5px;">1</div> </div> <div style="text-align: center;"> <b>CLASS</b><br/> <div style="border: 1px solid black; padding: 2px 5px;">A</div> <div style="border: 1px solid black; padding: 2px 5px;">2</div> </div> <div style="text-align: center;"> <b>SIC</b><br/> <div style="border: 1px solid black; padding: 2px 5px;">1</div> <div style="border: 1px solid black; padding: 2px 5px;">4</div> <div style="border: 1px solid black; padding: 2px 5px;">7</div> <div style="border: 1px solid black; padding: 2px 5px;">5</div> </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <b>ZONE</b><br/> <div style="border: 1px solid black; padding: 2px 5px;">1</div> <div style="border: 1px solid black; padding: 2px 5px;">2</div> </div> <div style="text-align: center;"> <b>UTM COORDINATE (km)</b><br/> <div style="border: 1px solid black; padding: 2px 5px;">4</div> <div style="border: 1px solid black; padding: 2px 5px;">7</div> <div style="border: 1px solid black; padding: 2px 5px;">1</div> <div style="border: 1px solid black; padding: 2px 5px;">.</div> <div style="border: 1px solid black; padding: 2px 5px;">5</div> <div style="border: 1px solid black; padding: 2px 5px;">,</div> <div style="border: 1px solid black; padding: 2px 5px;">4</div> <div style="border: 1px solid black; padding: 2px 5px;">7</div> <div style="border: 1px solid black; padding: 2px 5px;">3</div> <div style="border: 1px solid black; padding: 2px 5px;">3</div> <div style="border: 1px solid black; padding: 2px 5px;">.</div> <div style="border: 1px solid black; padding: 2px 5px;">7</div> </div> </div> |                          |                    |                 |              |                |         |
| 1.                                                                                                                                                                                                                                                                                                                       | <b>PERMITTEE</b><br>Astaris Production, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                          |                    |                 |              |                |         |
| 2.                                                                                                                                                                                                                                                                                                                       | <b>PROJECT</b><br>Tier II Operating Permit, Dry Valley Mine                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                          |                    |                 |              |                |         |
| 3.                                                                                                                                                                                                                                                                                                                       | <table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border: none;"><b>MAILING ADDRESS</b></td> <td style="width: 30%; border: none;"><b>TELEPHONE #</b></td> <td style="width: 30%; border: none;"><b>COUNTY</b></td> </tr> <tr> <td style="border: none;">P.O. Box 668</td> <td style="border: none;">(208) 547-2700</td> <td style="border: none;">Caribou</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>MAILING ADDRESS</b>   | <b>TELEPHONE #</b> | <b>COUNTY</b>   | P.O. Box 668 | (208) 547-2700 | Caribou |
| <b>MAILING ADDRESS</b>                                                                                                                                                                                                                                                                                                   | <b>TELEPHONE #</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>COUNTY</b>            |                    |                 |              |                |         |
| P.O. Box 668                                                                                                                                                                                                                                                                                                             | (208) 547-2700                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Caribou                  |                    |                 |              |                |         |
| 4.                                                                                                                                                                                                                                                                                                                       | <table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border: none;"><b>CITY</b></td> <td style="width: 30%; border: none;"><b>STATE</b></td> <td style="width: 30%; border: none;"><b>ZIP CODE</b></td> </tr> <tr> <td style="border: none;">Soda Springs</td> <td style="border: none;">Idaho</td> <td style="border: none;">83726</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>CITY</b>              | <b>STATE</b>       | <b>ZIP CODE</b> | Soda Springs | Idaho          | 83726   |
| <b>CITY</b>                                                                                                                                                                                                                                                                                                              | <b>STATE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>ZIP CODE</b>          |                    |                 |              |                |         |
| Soda Springs                                                                                                                                                                                                                                                                                                             | Idaho                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 83726                    |                    |                 |              |                |         |
| 5.                                                                                                                                                                                                                                                                                                                       | <table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border: none;"><b>PERSON TO CONTACT</b></td> <td style="width: 60%; border: none;"><b>TITLE</b></td> </tr> <tr> <td style="border: none;">Gary Resh</td> <td style="border: none;">Mine Manager</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>PERSON TO CONTACT</b> | <b>TITLE</b>       | Gary Resh       | Mine Manager |                |         |
| <b>PERSON TO CONTACT</b>                                                                                                                                                                                                                                                                                                 | <b>TITLE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                    |                 |              |                |         |
| Gary Resh                                                                                                                                                                                                                                                                                                                | Mine Manager                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                    |                 |              |                |         |
| 6.                                                                                                                                                                                                                                                                                                                       | <b>EXACT PLANT LOCATION</b><br>Section 31 (T. 7S., R. 44E.), Sec. 6, 5, 8, 9, 15, 16, 21, 22 (T. 8S., R. 44E.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                    |                 |              |                |         |
| 7.                                                                                                                                                                                                                                                                                                                       | <b>GENERAL NATURE OF BUSINESS &amp; KINDS OF PRODUCTS</b><br>Phosphate Ore Mining                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |                    |                 |              |                |         |
| 8.                                                                                                                                                                                                                                                                                                                       | <b>PERMIT AUTHORITY</b><br><br><p>This permit is issued according to the <b>Rules for the Control of Air Pollution in Idaho</b>, Section 16.01.01.400 and pertains only to emissions of air contaminants which are regulated by the State of Idaho and to the sources specifically allowed to be operated by this permit.</p> <p>THIS PERMIT HAS BEEN GRANTED ON THE BASIS OF DESIGN INFORMATION PRESENTED IN THE APPLICATION AND DIVISION OF ENVIRONMENTAL QUALITY'S (DEQ) TECHNICAL ANALYSIS OF THE SUPPLIED INFORMATION. CHANGES IN DESIGN OR EQUIPMENT, THAT RESULT IN ANY CHANGE IN THE NATURE OR AMOUNT OF EMISSIONS, MAY BE A MODIFICATION. MODIFICATIONS ARE SUBJECT TO DEQ REVIEW IN ACCORDANCE WITH SECTION 16.01.01.200 OF THE RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                    |                 |              |                |         |
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| <b>ISSUED DATE</b> April 17, 2000                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                    |                 |              |                |         |
| <b>EXPIRATION DATE</b> April 16, 2005                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                    |                 |              |                |         |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <br/> <hr/> ADMINISTRATOR, STATE AIR QUALITY PROGRAM<br/><br/> DIVISION OF ENVIRONMENTAL QUALITY </div> <div style="width: 60%;"></div> </div> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                    |                 |              |                |         |

**AIR POLLUTION OPERATING PERMIT  
PERMITTEE, PROJECT, AND LOCATION**
**PERMIT NUMBER**

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| 0 | 2 | 9 | - | 0 | 0 | 0 | 2 | 7 |
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The Permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

**SOURCE**

Phosphate Ore Mining

**1. EMISSIONS LIMITS**
**1.1 Burnham Boiler**

1.1.1 Particulate matter emissions from the boiler shall not exceed 0.05 grains per dry standard cubic foot corrected to three percent (3%) oxygen during the combustion of used oil in accordance with IDAPA 16.01.01.677.

1.1.2 Visible emissions from the boiler stack shall not exceed 20% opacity for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period as required in IDAPA 16.01.01.625. Opacity will be determined using procedures in IDAPA 16.01.01.625.

**1.2 Crusher Opacity Limit**

Particulate matter (PM) emissions from portable rock crushers shall not exhibit more than 15% opacity as required in 40 CFR Subpart 000. Opacity shall be determined using the procedures specified in IDAPA 16.01.01.625.

**1.3 Transfer Point Opacity Limit**

Particulate matter (PM) emissions from any transfer point on belt conveyors, or from each grinding mill, screening operation, bucket elevator, belt conveyor bagging operation, storage bin, enclosed truck, or rail car loading station shall not exhibit greater than 10% opacity as required in 40 CFR Subpart 000. Opacity shall be determined using the procedures specified in DEQ's "Procedures Manual for Air Pollution Control."

**1.4 Visible Emission Limits at Property Boundary**

Fugitive emissions shall not be observed leaving the property boundary for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period. Visible emissions shall be determined by Method 22, as described in 40 CFR 60, Appendix A, or a DEQ-approved alternative method.

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|-------------------------|----------------|
| <b>ISSUED DATE:</b>     | April 17, 2000 |
| <b>EXPIRATION DATE:</b> | April 16, 2005 |

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**AIR POLLUTION OPERATING PERMIT  
PERMITTEE, PROJECT, AND LOCATION**
**PERMIT NUMBER**

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The Permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

**SOURCE**

Phosphate Ore Mining

**2. OPERATING REQUIREMENTS**
**2.1 Burnham Boiler**

- 2.1.1 Oil combusted in the boiler shall be non-hazardous used oil only.
- 2.1.2 Used oil combusted in the boiler shall not contain more than 0.07 ppm by weight of arsenic, 1.7 ppm by weight of cadmium, and 7.9 ppm of chromium.
- 2.1.3 The boiler is limited to firing 22,000 gallons of used oil per consecutive 12-month period.

**2.2 Phosphate Ore Throughput**

Annual phosphate ore throughput from the haul truck loadout at the storage pile to the railcar loading shall be limited to three million (3,000,000) tons per consecutive 12-month period (T/yr) on a dry tonnage basis.

**2.3 Reasonable Control of Fugitive Emissions**

All reasonable precautions shall be taken to prevent particulate matter from becoming airborne as required in IDAPA 16.01.01.651. In determining what is reasonable, considerations will be given to factors such as the proximity of dust emitting operations to human habitations and/or activities and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions include, but are not limited to, the following:

- 2.3.1 Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands;
- 2.3.2 Application, where practical, of asphalt, oil, water or suitable chemicals to, or covering of dirt roads, material stockpiles, and other surfaces which can create dust;
- 2.3.3 Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations;
- 2.3.4 Covering, where practical, of open bodied trucks transporting materials likely to give rise to airborne dusts;
- 2.3.5 Paving of roadways and their maintenance in a clean condition, where practical; or
- 2.3.6 Prompt removal of earth or other stored material from streets, where practical.

**2.4 Air Stagnation Advisory Days**

No operation of the rock crushing facility shall occur during days of Air Stagnation Advisory.

|                         |                |
|-------------------------|----------------|
| <b>ISSUED DATE:</b>     | April 17, 2000 |
| <b>EXPIRATION DATE:</b> | April 16, 2005 |

**AIR POLLUTION OPERATING PERMIT  
PERMITTEE, PROJECT, AND LOCATION**
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The Permittee is hereby allowed to operate the equipment described herein subject to the emission limits and monitoring and reporting requirements specified in this permit.

**SOURCE**

Phosphate Ore Mining

**3. MONITORING AND RECORDKEEPING REQUIREMENTS**
**3.1 Operating Parameters**

3.1.1 The permittee shall monitor monthly and record the total throughput of phosphate ore throughput from the haul truck loadout at the storage pile to the railcar loading. The most recent two (2) years' compilation of data shall be kept on-site, in a log, and made available to DEQ representatives upon request.

3.1.2 The permittee shall monitor and record the amount of used oil burned in the Burnham Boiler on a gallons-per-day basis.

3.1.3 The permittee shall analyze all used oil prior to combustion to demonstrate compliance with Section 2.1.2 of this permit. The results of the analysis of used oil shall be accompanied by a record of the amount of used oil which the sample represents. The most recent two (2) years' compilation of data shall be kept on-site, in a log, and made available to DEQ representatives upon request.

**3.2 Reasonable Control Measures**

The permittee shall monitor and record in a log, during operation, the periodic method(s) used to reasonably control fugitive emissions from this facility. The log shall include the type of control used (i.e., water, environmentally safe chemical dust suppressants, etc.) as well as the circumstances under which no controls are used. The most recent two (2) years' compilation of data shall be kept on-site and made available to DEQ representatives upon request.

**3.3 Recordkeeping**

The amount of used oil burned in the Burnham Boiler on a gallons-per-month basis shall be recorded in a log and shall be kept on-site for a two (2) year period and made available to department representatives upon request.

**4. REPORTING REQUIREMENTS**
**4.1 Certification of Documents**

All documents including, but not limited to, application forms for Permits to Construct, monitoring data, supporting information, requests for confidential treatment, testing reports, and compliance certifications submitted to DEQ shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

|                         |                |
|-------------------------|----------------|
| <b>ISSUED DATE:</b>     | April 17, 2000 |
| <b>EXPIRATION DATE:</b> | April 16, 2005 |

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## TIER II OPERATING PERMIT GENERAL PROVISIONS

- A. All emissions authorized herein shall be consistent with the terms and conditions of this permit. The emission of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit and the **Rules for the Control of Air Pollution in Idaho**, and the Environmental Protection and Health Act, Idaho Code 39-101 et. seq.
- B. The Permittee shall at all times (except as provided in the **Rules for the Control of Air Pollution in Idaho**) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable laws for the control of air pollution.
- C. The Permittee shall allow the Director, and/or his authorized representative(s), upon the presentation of credentials:
- 1) To enter upon the Permittee's premises where an emission source is located, or in which any records are required to be kept under the terms and conditions of this permit; and
  - 2) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and to require stack emission testing (i.e., performance tests) in conformance with state approved or accepted EPA procedures when deemed appropriate by the Director.
- D. Except for data determined to be confidential under Section 39-111, Idaho Code, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate regional office of the Division of Environmental Quality.
- E. Nothing in this permit is intended to relieve or exempt the Permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.
- F. In the event of any change in control or ownership of source(s) from which the authorized emissions emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Director.
- G. This permit shall be renewable on the expiration date, provided the Permittee submits any and all information necessary for the Director to determine the amount and type of air pollutants emitted from the equipment for which this permit is granted. Failure to submit such information within sixty (60) days after receipt of the Director's request shall cause the permit to be voided.
- H. The Director may require the Permittee to develop a list of Operation and Maintenance Procedures which must be approved by DEQ. Such list of procedures shall become a part of this permit by reference, and the Permittee shall adhere to all of the operation and maintenance procedures contained therein.
- I. Performance tests (i.e.; air emission source tests) conducted pursuant to testing requirements in this permit must be conducted in accordance with IDAPA 16.01.01.157. Such testing shall not be conducted on weekends or state holidays unless the Permittee obtains prior DEQ approval.
- The Permittee shall submit a proposed test date for each performance test required by this permit to DEQ for approval at least fifteen (15) days prior to each respective test date (including each test date for periodic tests such as, for example, annual tests). The Permittee shall promptly notify DEQ of any change in the proposed test date and shall provide at least five (5) working days advanced notice prior to conducting any rescheduled test, unless DEQ approves a shorter notice period.
- Within thirty (30) days of the date on which a performance test required by this permit is concluded, the Permittee shall submit to DEQ a performance test report for the respective test. The performance test report shall include any and all process operating data required to be recorded during the test period as well as the test results, raw test data, and associated documentation.
- The maximum allowable source operating rate shall be limited to 120% of the average operating rate attained during the most recent performance test conducted pursuant to this permit, for which a test protocol has been granted prior approval by DEQ, which demonstrated compliance with the respective pollutant emission limit unless; (1) a more restrictive operating limit is specified elsewhere in this permit or; (2) at such an operating rate, emissions would exceed any emission limit(s) set forth in this permit.
- J. The provisions of this permit are severable; and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

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| ISSUED DATE:     | April 17, 2000 |
| EXPIRATION DATE: | April 16, 2005 |

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